

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

3:73-cv-00125-RCJ-WGC

Plaintiff,

In Equity No. C-125

WALKER RIVER PAIUTE TRIBE,

**ORDER APPROVING BUDGET AND
RATE OF ASSESSMENT FOR THE
YEAR JULY 1, 2018 THROUGH JUNE
30, 2019, AND THE AUDIT REPORT
FOR THE YEAR ENDED JUNE 30, 2017**

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

Defendants.

The Petition of the United States Board of Water Commissioners and the Chief Deputy Water Commissioner (collectively “Board”) for Approval of Budget and Approval of Rate of Assessment for the Year July 1, 2018 Through June 30, 2019, and for Approval of the Audit Report for the Year Ended June 30, 2017 (“Petition”) (Doc. 1481) was filed on April 10, 2018.

A hearing was set for May 22, 2018 (Doc. 1482). The Court ordered that if no objections were filed by May 8, 2018, the Court would consider vacating the Hearing (Doc. 1483).

The Walker River Paiute Tribe (“Tribe”) and the United States of America (“United States”) filed Joint Comments on May 7, 2018 (Doc. 1497). The Walker River Irrigation District (“WRID”) filed a Response to the Joint Comments on May 8, 2018 (Doc. 1498). The Board filed a

1 Response to the Joint Comments on May 11, 2018 (Doc. 1502). The Joint Comments of the Tribe
2 and the United States state their comments with one exception are similar to their comments filed
3 annually with the Court in prior years, and that therefore a hearing may not be required. Subject to
4 the statements made in their comments, the Tribe and United States do not object to the Court
5 approving the Petition. The Joint Comments pertain to concerns that the delivery of water to the
6 Tribe account for conveyance losses, accuracy of measurement and the Tribe's start date. The Tribe
7 and the United States do not object to the United States Board of Water Commissioners
8 administering the Decree and the delivery of water in the same manner as in prior similar irrigation
9 seasons. WRID responded to the Tribe's and United States' Joint Comments and acknowledged that
10 the Tribe and the United States have not waived the rights they may have to seek in the future a
11 different place of measurement, the addition of water to offset conveyances losses, if any, and the
12 issue of the Tribe's start date.

13 There were no other comments or objections filed to the budget, rate of assessment or
14 the audit report.

15 The Court having considered the Petition, the Tribe's and United States' Joint
16 Comments, WRID's Response, the Response of the Board, the proofs of notice, and being fully
17 advised in the premises makes the following findings:

18 1. The Court finds that notice of this hearing has been given by publication and
19 posting of the Notice of Filing of Report and Petition for Approval of Budget and Approval of Rate
20 of Assessment for the Year July 1, 2018 Through June 30, 2019, and for Approval of the Audit
21 Report for the Year Ended June 30, 2017 in accordance with its Order of April 16, 2018 (Doc.
22 1485), and that additional notice has been given by electronic service and by mailing a copy of the
23 Petition, the (Proposed) Order Requiring Notice and (Proposed) Notice of Filing Report on April 10,
24 2018, as set forth in the Affidavit of Service filed on April 10, 2018 (Doc. 1484).

25 2. The Court finds that the Budget and Rate of Assessment for the year July 1,
26 2018 to June 30, 2019 should be approved.

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3. The Court finds the Audit Report of the accounting records of the United States Board of Water Commissioners for the year ended June 30, 2017, prepared by Arrighi, Blake & Associates, LLC, Certified Public Accountants, should be approved.

NOW, THEREFORE, it is hereby ordered that:

1. The Budget and Rate of Assessment of \$3.80 per acre for the year July 1, 2018 to June 30, 2019 submitted by the Chief Deputy Water Commissioner and approved by the United States Board of Water Commissioners on March 23, 2018 is hereby approved; and

2. The Audit Report of the accounting records of the United States Board of Water Commissioners for the year ended June 30, 2017, prepared by Arrighi, Blake & Associates, LLC, Certified Public Accountants, is hereby approved.

DATED this 16th day of May, 2018.


UNITED STATES DISTRICT JUDGE